

IN THE CLAIMS

Please amend the claims as follows:

Claim 1 (Currently Amended): A disk recording and reproducing device,
comprising:

~~having~~ a slide member which is slidably driven ~~slidable~~ by a drive unit ~~means~~ through a rack to convey ~~pull~~ a disk in a horizontal direction from a disk ejecting position and thereafter lower the disk vertically and position the disk in a disk writing/reading position in which information can be written on and read from the disk by an optical pickup, ~~wherein~~ said slide member has a switch trigger, and said disk recording and reproducing device has a detecting unit ~~means~~ on a chassis thereof for being electrically detected by said switch trigger, ~~and wherein~~ said detecting unit is configured to detect a disk standby position which is between said disk writing/reading position and said disk ejecting position, and, in a standby mode, the disk is moved and placed at said disk standby position based on the detection, said disk is stopped in said disk standby position on upward movement thereof by the disk recording and reproducing device while said disk is conveyed from said disk writing/reading position toward said disk ejecting position

wherein, in said disk standby position a surface of the disk is spaced from an objective lens by a distance to prevent said objective lens from contacting the surface of said disk even when said objective lens is moved in a movable range thereof.

Claims 2-3 (Canceled).

Claim 4 (Currently Amended): The disk recording and reproducing device according to claim 1, wherein said detecting unit has a pair of switches which turn on/off according to a position of said switch trigger of said slide member and detects the disk ejecting position,

said disk writing/reading position, and said disk standby position based on a combination of the turning on and off of a pair of said pair of switches.

Claim 5 (Currently Amended): The disk recording and reproducing device according to claim 1, wherein said disk ~~comprises~~ is a cartridge-type disk.